

1 REGINALD STEER (SBN 56324)
2 AMIT KURLEKAR (SBN 244230)
3 **AKIN GUMP STRAUSS HAUER & FELD LLP**
4 580 California, 15th Floor
5 San Francisco, California 94104-1036
6 Telephone: 415-765-9500
7 Facsimile: 415-765-9501
8 EMail: RSteer@AkinGump.com

9 Attorneys for Plaintiffs
10 VALENT U.S.A. CORPORATION AND
11 SUMITOMO CHEMICAL CO. LTD.

12 VALENT U.S.A. CORPORATION AND
13 SUMITOMO CHEMICAL CO. LTD.

14 Plaintiffs,

15 v.

16 SYNGENTA CROP PROTECTION, INC.

17 Defendant.

18 Case No. CV 08 0720 VRW

19 **ADMINISTRATIVE MOTION OF
20 VALENT U.S.A. CORPORATION AND
21 SUMITOMO CHEMICAL CO. LTD. TO
22 FILE EXHIBITS UNDER SEAL**

23 **SUPPORTING DECLARATION OF
24 KIMBERLY R. PARKE**

25 **[PROPOSED ORDER]**

26 **ADMINISTRATIVE MOTION FOR FILING EXHIBITS UNDER SEAL**

27 1. Papers Submitted for Filing Under Seal in Their Entireties

28 Pursuant to Civil Local Rules 7-11 and 79-5(b) and (d), Plaintiffs Valent U.S.A. Corporation
and Sumitomo Chemical Co. Ltd. hereby request leave of Court to file under seal in their entireties the
following documents being lodged with the Clerk:

29 a. Letter to Judge Walker Regarding Emergency Motion to Compel. This
30 communication contains sensitive business information. Accordingly, the letter should be filed under
31 seal from public view.

b. Exhibit 1 to the Letter to Judge Walker. Exhibit 1 consists of an April 23, 2007 letter from Ralf Jesse to Jonathan Sullivan. This communication contains sensitive business information. Accordingly, the exhibit should be filed under seal from public view.

c. Exhibit 2 to the Letter to Judge Walker. Exhibit 2 consists of Plaintiffs' Deposition Notice Pursuant to Federal Rule of Evidence 30(b)(6). This document request contains sensitive business information and reflects confidential negotiations between the parties. Accordingly, the exhibit should be filed under seal from public view.

As required by Civil Local Rule 79-5(b) and (d), Plaintiff is lodging with the Clerk copies of these exhibits for filing under seal.

1 **SUPPORTING DECLARATION OF REGINALD D. STEER**

2 I, Kimberly R. Parke, declare as follows:

3 1. I am an attorney licensed to practice law before all courts of the State of Virginia and
4 am admitted *pro hac vice* to practice before this Court, and am an Associate with Dickstein Shapiro
5 LLP, counsel for Plaintiffs in the above-entitled action. I submit this declaration in support of the
6 Administrative Motion of Valent U.S.A. Corporation and Sumitomo Chemical Co. Ltd. to File Exhibits
7 Under Seal. The matters stated herein are based upon my personal knowledge, and if called as a
8 witness to testify, I could and would competently do so.

9 2. The representations made above in this Administrative Motion are true and correct to
10 the best of my knowledge and belief.

11 3. Pursuant to Civil L.R. 7-11(a), I attempted to contact Jennifer A. Johnson, counsel for
12 Defendant, in order to reach a stipulation on this matter. I was unable to reach her.

13 I declare under penalty of perjury under the laws of the United States that the foregoing is true
14 and correct and this declaration was executed this 21st day of July, 2008, at Washington, District of
15 Columbia.

16
17 Dated: July 21, 2008

By Kimberly Parke
18 Kimberly R. Parke

19
20
21
22
23
24
25
26
27
28

1 [PROPOSED] ORDER
2
3

4 Upon good cause shown, IT IS HEREBY ORDERED that the following documents be filed
5 under seal:
6
7

1. The July 21, 2008 Letter to Judge Walker from Jeffrey K. Sherwood.
2. Exhibit 1 to the July 21, 2008 Letter to Judge Walker from Jeffrey K. Sherwood.
3. Exhibit 2 to the July 21, 2008 Letter to Judge Walker from Jeffrey K. Sherwood

8 **IT IS SO ORDERED.**

9 Dated: July __, 2008

10 _____
11 Chief Judge Vaughn R. Walker
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28